

PROB 12C
(7/93)

Report Date: February 15, 2013

United States District Court
for the
Eastern District of Washington

RECEIVED
U.S. DISTRICT COURT

FEB 15 2013

WM. FREMMING NIELSEN
 DISTRICT JUDGE

FILED IN THE
 U.S. DISTRICT COURT
 EASTERN DISTRICT OF WASHINGTON

Name of Offender: Jose Trinidad Contreras-Avina Case Number: 2:10CR06046-001

Address of Offender: Pasco, Washington

FEB 19 2013

SEAN F. McAVOY, CLERK
 SPOKANE, WASHINGTON DEPUTY

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 9/16/2010

Original Offense: Alien in the United States After Deportation, 8 U.S.C. § 1326(b)(2)

Original Sentence: Prison - 366 Days; Type of Supervision: Supervised Release
 TSR - 36 Months

Asst. U.S. Attorney: Alexander Carl Ekstrom Date Supervision Commenced: 3/24/2011

Defense Attorney: To be assigned Date Supervision Expires: 3/23/2014

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

2 **Special Condition # 14:** You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: The above violations will be combined for brevity.

Jose Trinidad Contreras-Avina is considered in violation of his term of supervised release as he was found in the United States on or about February 15, 2013. The defendant reentered the United States without lawful permission, failed to report to U.S. Probation as required, and new criminal charges will be filed.

According to Immigration and Customs Enforcement (ICE) agents, information was received in January 2013, that Mr. Contreras-Avina had reentered the United States and his Washington driver's license had been renewed. ICE agents were going to conduct

Prob12C

Re: Contreras, Jose Trinidad

February 15, 2013

Page 2

surveillance to positively identify the defendant prior to his arrest and filing of new charges. Mr. Contreras-Avina was located in Pasco, Washington, exiting a store on February 15, 2013. He was positively identified and detained.

Per ICE information, the defendant did not apply for or obtain permission to reenter the United States. Formal charges have been filed in U.S. District Court, case 2:13MJ04077-JPH, for the defendant's reentry into the U.S. after deportation, a violation of 8 U.S.C. § 1326.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 02/15/2013

s/SanJuanita B. Coronado

SanJuanita B. Coronado
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

L. Martinez

Signature of Judicial Officer

2/19/13

Date